

REMARKS

Claims 58, 59, 61-63, 65-68, and 71-73 are currently pending in the application.

The Examiner has held that the application contains claims directed to the following patentably distinct species:

The claimed method wherein the antibody is chimeric or CDR grafted or human.

Applicant elects with traverse the species of the claimed method wherein the antibody is human. Claims encompassing the elected species include Claims 58, 59, 61-63, 65-68, 71 and 73.

Applicant respectfully traverses the election requirement. The present claims are directed to methods of identifying compounds which decrease the activity of osteoprotegerin binding protein (OPGbp) wherein the compounds are antibodies or binding fragments thereof. Examination and search would not require an undue burden as the species of chimeric, CDR grafted or human antibodies would not necessarily require patentably distinct methods for determining a decrease in activity of OPGbp.

Applicant acknowledges that, upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 CFR 1.141.

CONCLUSION

Applicant believes that Claims 58, 59, 61-63, 65-68, and 71-73 are in condition for allowance and an early notice thereof is solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 01-0519.

Respectfully submitted,

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